

LAW OFFICES OF DAVID WOLFF LLC

Attorneys for Trustee

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

_____X	:	Case No. 13-18412-RG
In the Matter of:	:	
	:	Chapter 7 Proceeding
EAGLE RECYCLING SYSTEMS, INC.,	:	
	:	Hon. Rosemary Gambardella
	:	
Debtor.	:	
_____X	:	

**NOTICE OF MOTION OF CHAPTER 7 TRUSTEE FOR AN ORDER APPROVING
THE SALE OF CERTAIN ASSETS OF THE DEBTOR'S ESTATE FREE AND
CLEAR OF LIENS, CLAIMS, INTERESTS, AND ENCUMBRANCES
PURSUANT TO 11 U.S.C. §§ 105 AND 363 AND RELATED RELIEF**

TO: ALL PARTIES ON CERTIFICATION OF SERVICE

MADAMES/SIRS:

PLEASE TAKE NOTICE that on July 18, 2017 @ 10:00 a.m. in the forenoon, or as soon thereafter as counsel may be heard, the undersigned attorneys for David Wolff, Chapter 7 Trustee (the "Trustee"), for the estate (the "Estate") of the above-captioned debtor (the "Debtor"), will apply (the "Motion")¹ to the Honorable Rosemary Gambardella, in the United States Bankruptcy Court (the "Court"), Martin Luther King, Jr. Federal Building, 50 Walnut Street, Newark, New Jersey, for entry of an Order authorizing the Trustee to sell all property of the Estate remaining, consisting of known or unknown assets or claims which have not been previously sold, assigned or transferred, but *specifically excluding* (a) cash held as of the date of

¹ Capitalized terms not defined herein shall have the meaning ascribed in the Motion.

the Purchase Agreement by the Trustee in bank accounts earmarked for distribution to creditors and/or payments of professional fees; and (b) the Sale Price (the “Remnant Assets”) of Five Thousand Dollars to Oak Point Partners, Inc. (“Oak Point”) via private sale and (c) any judgment obtained or settlement payments in connection with Trustee’s claims against Super Quality Oil Co. The sale shall be pursuant to Sections 363 and 105 of the Bankruptcy Code. The sale shall be free and clear of liens, claims, and encumbrances, with valid liens, claims and encumbrances to attach to the proceeds of the sale.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the Motion must be made in writing and in the form prescribed by the Federal Rules of Bankruptcy Procedure and the District of New Jersey Local Bankruptcy Rules, and must be filed with this Court and served upon and received by (i) the Trustee, David Wolff, Esq., 396 Route 34, Matawan, New Jersey 07747; and (ii) counsel to Oak Point, (a) at Oak Point Partners, Attn: Janice Alwin, Esq., 5215 Old Orchard Rd., Suite 965, Skokie, IL 60077; and (b) janice@oakpointpartners.com.

PLEASE TAKE FURTHER NOTICE that, in the event that timely objections are not filed with the Court and served upon the Trustee as provided in D.N.J. LBR 9013-1(a) and (f), the Motion shall be deemed uncontested and the Court may, in its discretion, grant the requested relief without a hearing.

PLEASE TAKE FURTHER NOTICE that, in accordance with D.N.J. LBR 9013-1(f), unless timely objections are filed and served upon the appropriate parties, the Trustee submits to disposition on the papers.

LAW OFFICES OF DAVID WOLFF LLC
Attorneys for David Wolff, Chapter 7 Trustee

By: /s/ David Wolff
David Wolff, Esq.

Dated: June 18, 2017, 2017